

**Attachment to Memorandum Re: Determination Not to Pursue Cost Recovery  
Perry St. Cylinder Site  
Richmond, Virginia**

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(Red)

MAR 9 2004

### **Site Description**

Perry St. Cylinder Site is a property located in a residential neighborhood of Richmond, Virginia. The property is owned by the Richmond Christian Center. The cylinders were found in a ditch adjacent to a residence at (b) (6)(b) (6)

### **History of the Site and Actions Conducted**

On March, 9, 2002, a resident of the Perry St. neighborhood contacted the Richmond Fire Department regarding several compressed gas cylinders which had been found in a ditch near a residence. The Richmond Fire Department Hazardous Materials Coordinator (HMC) and a representative from a local company which handles and manages compressed gas cylinders went to the Site to assess the situation. The HMC contacted EPA On-Scene Coordinator (OSC) Christine Wagner who went to the Site on March 9.

OSC Wagner found four old rusted cylinders, one of which appeared to be empty. One of the cylinders had a cover marking which listed "Pennsylvania Salt Mfg". OSC Wagner contacted EPA Civil Investigator (CI) Lawrence Richardson to research information on Pennsylvania Salt Mfg. She also gave an update to representatives of the Virginia Department of Emergency Management and the Virginia Department of Environmental Quality, and tasked the EPA START contractor to check out sources of cylinder expertise for information on possible contents and other data involving cylinders.

Research conducted by CI Richardson revealed that Pennsylvania Salt Mfg. had been sold in a chain of five transactions since the late 1950s. Pennsylvania Salt Mfg. no longer existed as an original entity and the most recent purchase in the successor chain was by Atofina Chemical of Philadelphia. OSC Wagner contacted Atofina to request technical assistance. She received a return phone call from Mr. M. Pinto of Atofina who agreed to meet OSC Wagner at the scene along with an environmental contractor.

At the Site, Mr. Pinto denied any responsibility as a potentially responsible party; however, he offered to remove and dispose of the cylinders as a goodwill gesture to the community. The contractor who accompanied Mr. Pinto measured the cylinders to prepare them for removal and also checked out the contents which were found to be acetylene and propane. At the same time, the Richmond HMC was on the scene and informed OSC Wagner that the property was owned by Richmond Christian Center. A representative from Richmond Christian Center arrived and gave EPA access to perform any necessary actions; the representative had no information on the cylinders.

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OSC Wagner also met with the resident who had contacted the Richmond Fire Department; the resident agreed to set up a neighborhood watch to ensure that trespassers would not come in contact with the cylinders. Because of Atofina's offer of assistance, OSC Wagner cancelled the tasking assignment for the START contractor.

OSC Wagner made determinations that Atofina did not originally manufacture the cylinders nor did they dispose of them on the property. On March 20, 2001, OSC Wagner met at the Site with Mr. Pinto of Atofina and representatives from several contractors. The cylinders were removed and were transported to an approved contractor facility in Richmond for further transfer to a facility in Fairless Hills, Pennsylvania for disposal. OSC Wagner provided oversight for the operation. Mr. Pinto informed EPA that Atofina might seek a claim against the Superfund for reimbursement of their expenses.

OSC Wagner believed that the prompt action taken by Atofina demonstrated their commitment to prevent any accidental release of hazardous substances, pollutants or contaminants into the environment and that if Atofina had not taken this action, EPA would have pursued a possible removal action to prevent the uncontrolled release of flammable gases into the residential neighborhood. Following the cylinder removal actions on March, 20, 2001, OSC Wagner did not anticipate any further action at the Site

#### **PRP Search**

The Perry St. Property where the cylinders were found is owned by Richmond Christian Center who stated they had no knowledge of the cylinders. Atofina Chemical, a successor company to Philadelphia Salt Mfg., cooperated in the investigation and assumed responsibility for the removal and disposal of the cylinders. Although their representative stated that they might bill Superfund for their expenses, no bill was ever received. There was no way to find out who had dumped the cylinders on the property or how long they had been there; no identifying marks were ever found except for the one cylinder that was marked "Philadelphia Salt Mfg."

#### **Statute of Limitations**

The cylinders were removed from the Site on March 20, 2001 and OSC Wagner plus other personnel involved in this incident demobilized from the Site on that date. The SOL can be considered to be March 20, 2004.

#### **Site Costs**

Total site costs for the Perry St. Cylinder St. are \$1,594.58, all of which is Regional Payroll Costs and EPA Indirect Costs.